

**DECLARATION - USA PATENT APPLICATION**

I, as a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND APPARATUS FOR POWER LINE EXCHANGE PROTOCOL; the specification of which was filed on **December 15, 1998** as Application Serial No. **09/211,950**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application listed below.

Application No.: 60/069,474

Filing Date: December 15, 1997

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Alan K. Walbeck**

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: **1746 East Plata Way, Sandy, Utah 84093**

Citizenship: **United States**

Post Office Address: **Same as above.**

Full name of second inventor: **David P. Phillips**

Inventor's signature David P. Phillips

Date February 12, 1999

Residence: **395 North Palisade Drive, Orem, Utah 84097**

Citizenship: **United States**

Post Office Address: **Same as above.**

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Send Correspondence To:  
**KNOBBE, MARTENS, OLSON & BEAR, LLP**  
**Customer No. 20,995**

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Application No.: 09/211,950  
Filing Date: December 15, 1998

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PATENT  
Client Code: INTELOG.002A  
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ASSIGNMENT


WHEREAS, We, Alan K. Walbeck, a United States citizen, residing at 1746 East Plata Way, Sandy, Utah 84093, David P. Phillips, a United States citizen, residing at 395 North Palisade Drive, Orem, Utah 84097, have invented certain new and useful improvements in a METHOD AND APPARATUS FOR POWER LINE EXCHANGE PROTOCOL for which we have filed an application for Letters Patent in the United States, 09/211,950, December 15, 1998;

AND WHEREAS, INTELOGIS, INC. (hereinafter "ASSIGNEE"), a Utah Corporation, with its principal place of business at 12257 South Business Park Drive, Suite 108, Draper, Utah 84020, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 12 day of FEB 1999

  
Alan K. Walbeck

STATE OF

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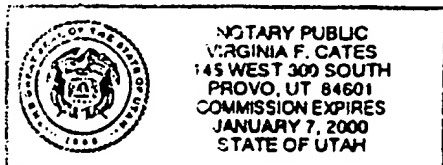
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COUNTY OF

On 2/12/99, before me, VIRGINIA F CATES, personally appeared Alan K. Walbeck personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



  
Notary Signature

Application No.: 09/211,950  
Filing Date: December 15, 1998

Client Code: INTELOG.002A

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 12 day of February 1999.

David P. Phillips

David P. Phillips

STATE OF

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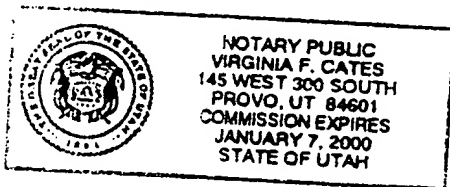
ss.

COUNTY OF

On 2/12/99, before me, VIRGINIA F CATES, personally appeared David P. Phillips personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Virginia F Cates  
Notary Signature

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